

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 20, 2009

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Ferns, J. (Assigned), Tucker, J. (Assigned) and C. Hon, Deputy Clerk.

B202362 Rodriguez v. Lynn

Argument waived, cause submitted.

B203918 Groundtech, Inc., et al.
v.
Tim Jay Cuthers et al.

Merits:

Argued by Edward M. Picozzi for appellants and by Armenak Kavcioglu for respondents. Cause submitted.

B208161 Chodos,
v.
Well Fargo Bank, N.A.

Merits:

Argued by Hillel Chodos appellant in propria persona and by Ronald R. St. John for appellant. Cause submitted.

Tucker, J. (Assigned) leaves the bench.

DIVISION ONE (continued)

B201479 Asfour
 v.
 Corrodi, Jr., et al.

Merits:

Argued by Grover H. Nix appellant in propria persona and by Brad Parr for respondent. The parties waived the presence of Weisberg, J. (Assigned). Cause submitted.

B208257 Bolgar
 v.
 Harris Properties, Inc., et al.

Merits:

Argued by Peter Bolgar appellant in propria persona and by Michael J. Wright for respondents. The parties waived the presence of Weisberg, J. (Assigned). Cause submitted.

B210823 Suarez
 v.
 County Of Los Angeles

Merits:

Argued by Eric Brown for appellant and by Thomas L. Dorogi for respondent. Cause submitted.

B208943 Kempton et al.
 v.
 Cooper

Merits:

Argued by Charles Kinney for appellants and by Jay J. Plotkin and Monte D. Richard for respondents. Cause submitted.

Court in recess.

May 20, 2009 (Continued)

DIVISION ONE(continued)

Court reconvened at 11:20 a.m.

Present: Mallano, P.J., Rothschild, J., Ferns, J. (Assigned) and C. Hon, Deputy Clerk.

B199008 Virtual Media Group, Inc.
v.
Regency Outdoor Advertising, Inc., et al.

Merits:

Argued by James V. Mellein for appellant and by David P. Crochetiere for respondents. The parties waived the presence of Weisberg, J. (Assigned). Cause submitted.

B205952 Johnson III,
v.
Los Angeles Unified School District

Merits:

Argued by Larney Johnson appellant in propria persona and by Rupert A. Brydsong for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B211489 People (Not for Publication)
v.
Freeze

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

DIVISION THREE

B203508 Midvalley Rental & Detailing, LLC (Not for Publication)
v.
Wichita & White Oak Associates, Ltd.

The judgment is affirmed. Each party to bear its own costs of appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FIVE

B207148 People (Not for Publication)
v.
Trevor Broadnax

The \$20 deoxyribonucleic acid penalty is reversed and stricken. An additional \$20 section 1465.8, subdivision (a) (1) court security fee must be imposed. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B207597 People
B208306 v.
 Kyle David, et al

Filed order consolidating above captioned appeals.

DIVISION SIX

B207465 People v. Webb (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B208570 R.G. (Not for Publication)
v.
M.S.

The order is affirmed. Each party shall bear his or her own costs on appeal.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B203553 People (Not for Publication)
v.
Castro et al.,

Morales's conviction of count 1, attempted murder, is reversed. Castro's conviction of count 2, attempted murder, is reversed. Gardea's conviction of both counts of attempted murder are reversed. The matter is remanded for resentencing and other proceedings including, in the prosecution's discretion, retrial of the reversed attempted murder counts. In all other respects, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

May 20, 2009 (Continued)

DIVISION SIX (continued)

B206934 Stroud (Not for Publication)
v.
Armenta

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B213141 People (Not for Publication)
v.
Brewer

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B209512 People
v.
Richard G.

Filed order modifying opinion. (No change in the judgment)

DIVISION SEVEN

B200774 Ittella International, Inc. (Not for Publication)
 v.
 Pacific American Fish Co., Inc., et al.,

The judgment of the superior court is reversed, and the trial court is ordered to enter judgment in favor of PafCo and Huh. Appellants are to recover their costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Jackson, J.

B212432 People (Certified for Publication)
 v.
 Ward
 Song

The order imposing sanctions under 177.5 is reversed. The trial court is directed to enter a new written order which recites in detail the conduct or circumstances justifying the impositions of sanctions.

Jackson, J.

We concur: Woods, Acting P.J.
 Zelon, J.

B204351 United Merchant Services, Inc. (Not for Publication)
 v.
 David H. Putnam

The judgment is affirmed. Respondent is entitled to costs on appeal.

Woods, Acting P.J.

We concur: Zelon, J.
 Jackson, J.

DIVISION SEVEN (continued)

B203442 People (Not for Publication)
v.
Dickershaid

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Jackson, J.

DIVISION EIGHT

B204653 People v. Keys (Not for Publication)

The clerk of the superior court shall correct the abstract of judgment to show that a one-year enhancement was imposed pursuant to section 667.5, subdivision (b), and not "18:1791 (a)(2)." A copy of the corrected abstract of judgment shall be sent to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Bauer, J. (Assigned)

B202478 Wurm (Not for Publication)
v.
California Institute of Technology

The judgment is affirmed. Respondent(s) to recover costs.

Flier, J.

We concur: Rubin, Acting P.J.
Bigelow, J.

May 20, 2009 (Continued)

DIVISION EIGHT (continued)

B207707 Monsefi (Not for Publication)
v.
TD Ameritrade, Inc.

The trial court's order dated April 16, 2008, denying Ameritrade's motion to compel Monsefi to arbitrate the claims in his complaint is reversed. The parties are to bear their own costs on appeal.

Bigelow, J.

We concur: Rubin, Acting P.J.
Flier, J.